

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TOM OGNIBENE, *et al.*,

Plaintiffs,

-against-

FREDERICK A. O. SCHWARTZ, JR., *et al.*,

Defendants.

**STIPULATION AND
ORDER OF
SUBSTITUTION**

08 CV 1335 (LTS) (TDK)

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WHEREAS plaintiff sued defendant Frederick A. O. Schwartz, Jr., exclusively in his official capacity as Chairman of the New York City Campaign Finance Board; and

WHEREAS Joseph P. Parkes, C.J., succeeded defendant Frederick A. O. Schwarz, Jr., in that position on April 8, 2008;

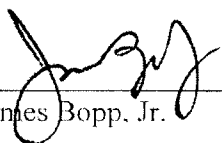
IT IS HEREBY STIPULATED, AGREED AND ORDERED that, pursuant to Rule 25 of the Federal Rules of Civil Procedure, Joseph P. Parkes, C.J., is and shall be automatically substituted for defendant Frederick A. O. Schwartz, Jr., and shall be deemed to have been similarly sued in his official capacity only.

Dated: New York, New York
July 30, 2008

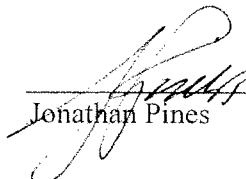
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By:


James Bopp, Jr.

By:


Jonathan Pines

Assistant Corporation Counsel

SO ORDERED:

Date

U.S.D.J.